

COMMISSIONERS APPROVAL

CHILCOTT *af*

LUND

THOMPSON *af*

TAYLOR (Clerk & Recorder)

Date.....December 19, 2005

Members Present.....Commissioner Betty Lund and
Commissioner Alan Thompson

Minutes: Sally Fortino and Glenda Wiles

The Board continued the Road Department meeting from Friday. Present at this meeting was James McCubbin, Deputy County Attorney and David Ohnstadt, Road Department Supervisor.

David presented a handout on the updated schedule for Sleeping Child Road right-of-way clearing, and a draft of a handout on new policy for pavement/roadway management.

Commissioner Lund asked about the time frame for the public hearing. David suggested that it be done no later than the first week in January, as he is looking forward to receiving public comment as soon as possible. James said that a public hearing is not required. It would be more important to get the word out in other ways, such as fliers, etc. He directed attention to page six of the drafted handout, adding that public meetings could be set up to receive public input. David said there was little time for fliers. Commissioner Lund suggested that the local newspaper do an article to inform the public.

David said that he wants to provide the public with the opportunity to comment, as this is the planning of a 7-year program, establishing the "marching orders" for the program. In the past, if people established the habit of attending meetings, they would be well attended. Otherwise, the same people bring the same complaints. He suggested that a system be devised that limits the time spent revisiting issues that have been heard and decided upon by the Commissioners. As it stands, progress can be halted by unnecessarily revisiting issues presented by chronic complainers. David also referred to a letter from legal counsel representing complainants on Meridian Road, who have suggested difficulty in obtaining public records. James suggested that a letter be sent to the residents explaining that all residents have access to public record, but limit the letter to explaining that one point. Commissioner Lund stressed that the letter be sent to the residents of Meridian Road, not to their legal counsel.

David referred to a letter from the Florence Fire Department, which James has not had opportunity to examine. He asked if the Commissioner wanted the letter sent. Commissioners Lund and Thompson briefly discussed a previous conversation regarding extending the building to allow for extenuating usages, such as a place for equipment storage, etc. However, the Commissioners heard nothing else from them. Apparently, communications broke down.

David added that there appears to be some level of dysfunction within the organization. Commissioner Lund suggested that a letter be sent making reference to the insinuation that a bay would be added to the fire hall for the County. David said he was not sure that would be the best solution, given the present status within the organization. Commissioner Thompson said that the Commissioners should talk with them, referring to the present shakeup in leadership and dismissal of several fire fighters. He suggested that correspondence refer to previous communication regarding expansion of the area, and that there had been an ongoing discussion at one time. Phrase the letter to indicate that we would like to open discussion. The Road Department needs a presence up there. Commissioner Lund suggested adding them to the agenda for an upcoming on site meeting. January 4, 2006, at 9 a.m. was selected.

In another matter, David addressed the complaint from Mr. Besseney, regarding property near the asphalt crushing plant on the Fairgrounds property. Commissioner Thompson commented on the multitude of public meetings held before the plant was established at that location, stating that the County had gone through the legal process, mitigating all complaints. He added that this man is concerned that he may not be able to sell the property in the future, should he choose to do so. Commissioner Thompson said all the complaints have been mitigated. He suggested that the Commissioners send a letter to the man, stating that we understand his concerns, and thanking him for responding.

David said that he is hopeful that another location can be found. He added that a dedication of easement must be sought from Mr. Besseney. He suggested that Commissioner Lund talk to him before the letter goes out. The County will require a 60' easement from existing road, and may need more if sidewalks are going in. Jurisdiction starts at Freeze Lane. Perhaps 30' and 50' would suffice. The County must do some resurfacing there. The road is a major collector.

David expressed concern for the proposed bike path on Tammany Lane in Daly Estates. He said that the road is a major access road, and in poor condition. The placement of the bike path has no apparent design. David suggested that the fence lines be moved back. He said that he would recommend that no bike path be placed there because of visibility issues. David said that the County would have some liability if there were an accident. He added that there is very poor sight distance, making it potentially very serious. Commissioner Lund asked if the path could be taken further north. David said that a bike path, if placed there, requires an engineer's input and approval from the Commissioners. It should be submitted to the County for review and approval. James suggested that David should discuss the situation with the developer, as the bike path is a condition of the final plat. "Something must be done there, but let's get their take on how to bring it

up to engineering specifications.” He added that the County might have to bear some of the expense. David stated that the bike path creates a liability and public hazard.

In other matters, David asked about the proposed letter to the Victor Water and Sewer District, relative to an encroachment into Victor Crossing. He asked if the letter should be sent. Commissioner Thompson said that he wanted it reviewed by legal counsel first. David presented the letter to James, who asked if the situation has been researched. David said that the original design from the Federal Highway Project dates to 1960. James said if it isn’t dedicated; let’s look at the plat before decisions are made. David said he has been informed that the research has been done, and there is no question that it is a platted easement. Commissioner Lund said that she is sure it is. James suggested that the time be taken to confirm the information.

The Board met with Kendall Neff of Bitterroot Valley Emergency Medical in regard to the ambulance service in the Bitterroot Valley. Commissioner Lund advised Kendall the Board had met with Fire Departments throughout the valley, who expressed concerns over service.

Kendall stated there are concerns in the EMS community. He and his wife purchased this service in 2001 and their intent was to provide medical service from Stevensville to the Idaho border. Marcus Daly was not making a profit at the time he purchased this service, and in his research they noted there was a need to reconstruct the ambulance service to decrease the debt. They are now the only ALS server in the Bitterroot Valley. As a paramedic himself, the patient is his highest priority. As a business owner, his goal is to provide good service to the customers in the 9-1-1 area. This good service boils down to finances and good employees, ‘who are willing to work in not the best of circumstances’. They are paid \$.50 per hour and receive \$20-27.00 per call. The drivers pay for the gas and provide their own uniforms and some supplies. A call does not necessarily mean a run. The average is 14-16 in Darby, 6 in Victor, and 25 calls a month in Stevensville. They average \$36.00 per hour when they are in the ambulance. These are all paid employees and his business has operating procedures that are necessary. Kendall stated while their main objective is patient care, every year we have made ‘a little bit of money’, but that is because they did some re-organization. Which means in some areas the ambulance might have been down. The ambulances in Stevensville and Victor were simply housed there. Seldom was Victor up 100% and it has never been a problem. The same is true with Stevensville. Kendall stated at first they tried not to staff the crews, but within three months of starting the business they had Stevensville staffed. With the number of calls in the Stevensville area, and the finances of the business, he stated they estimated they could put two paid people there two days per week. This re-organization simply allowed them to break even. He stated if it costs him more than what they make, he will not put an ambulance on the road. The medical needs constantly change, which means the business operations need to change daily. He stated he makes some tough decisions every day in order to provide the best level of service to all of the Bitterroot Valley.

Kendall stated he leases three ambulances from the County and when Glenda called to ask about the lease fees, he immediately faxed a copy of the lease and sent a check for \$8.00. Commissioner Lund said this issue started by withdrawal of the Victor ambulance. Kendall stated if he does not have EMT coverage he has to pull the ambulances, and only two employees wrote down their available hours. He stated if he had a group in Victor and Sula, and they have available hours, then he would discuss putting an ambulance in those time slots.

Commissioner Lund stated she learned from the last meeting that many stated they did not get the sign-up sheet and they were terminated. Kendall stated those employees should have followed the rules, and when they do not follow them he must deal with him as the owner. He stated they did not question the policy nor did they follow them, so they violated Montana policies. Commissioner Lund stated they are not questioning Kendall's ability to run the business, but the employees felt there was no communication and one day the ambulance was just gone. Now Darby is thinking they might lose their service. Kendall stated Darby always has 100% coverage. He further stated, "In Stevensville I have 6 EMT's who have good dedication." Kendall indicated the bottom line is that more EMT's are needed and in order to have more EMT's he has provided yearly training. The first classes he did for free and the next year he discounted the fees. The working conditions are very bad and he loses people every year due to the emotional stress. He stated he needs better EMT's and the only way he can do that is with community help. From a business perspective, he could not just staff the area, so the ambulance will need to be dispatched from Hamilton. The EMT's have a pager and they need an 8-minute response just to get to the ambulance, then they have to respond from that location. In Hamilton the EMT's have no delay as they are dispatched immediately. In Hamilton, the ambulance can be there quicker than the Victor ambulance. In Stevensville it takes 20 minutes. Kendall stated this is rural America and people have to expect that.

Commissioner Thompson said he appreciates the response and at the same time the need to respond to the citizens who are worried about the services in Victor, Stevensville and Darby. Therefore they need to determine what can be done for better coverage. The County has not levied any funds, so the Board of County Commissioners will have to do something to protect the citizens. Commissioner Thompson asked Kendall if he had any suggestions.

Kendall stated QRU's are vital to 9-1-1 calls and patient care. But they too, have stringent budgets. He is pleased that Victor formed a QRU. That reassures him that patient care will be handled prior to his ambulance arriving at the scene. If it is financing and budget the County could provide, then they need to research this and see where those monies need to go.

He stated he has one ambulance in Stevensville, one in Darby and seven in Hamilton. There is no coverage north of Stevensville.

Commissioner Lund said her concern is that he 'just pulled the ambulance without any warning'. Kendall stated they did not get fired; they were voluntarily terminated because they did not fill out their paperwork. Commissioner Lund stated her concern is that Kendall has some federal tax liens that are rather large, and those liens puts his business in jeopardy.

Kendall stated his budget is tenable, and he needs to pay certain bills, which created a lien. This lien is in dispute but he is in constant contact with them and it is being taken care of.

James felt there are breeches of the lease and they could repossess the three ambulances. He felt the basis of termination include the following facts:

- that the ambulances are not being used sufficiently for medical services,
- and given the 'withdrawal' of the ambulances from the communities, conformance with local laws and the liens are a violation of this,
- there is information that the ambulances have not been operated in clean, safe and sanitary condition.

James stated those issues in themselves could be a basis for the county to reposes the ambulances. Kendall stated they use the three ambulances all year on 9-1-1 calls, and he has documentation for that. The ambulances are reviewed one time a week and cleaned, and he has documentation for that also.

Rod Clark of Victor said he is hearing from many communities they expect an ambulance service in their community, and the Victor Fire Department is looking to that goal. Kendall stated there are EMT's in Victor, but they have to follow job procedures to be hired. Rod stated they have 22 EMT's on their QRU roster. He was one that was voluntarily terminated, as were several others. The open door policy and communications are not present, and they do not feel they are being worked or treated very well. Therefore, many do not want to work for Kendall's service any more. Rod stated he was terminated for not complying with the monthly availability sheet, but the memo said they had until the end of the month to fill in the sheet. However, he was terminated on the 28th. He had voiced his concerns with Kendall, but after that conversation he decided not to work with Kendall. Jeff Welch stated he is ok with the coverage in Stevensville.

Commissioner Lund stated her concern over 'pulling' the ambulance, and is pleased that Victor developed a QRU. Darby is worried they will lose their service. Commissioner Lund feels this is a communication problem, and states they could pull the ambulance for breach of contract. Commissioner Thompson stated he is not satisfied with the possible solutions, so they need to continue talking to the citizens involved and find a solution. The County might have to be more heavily involved, along with the hospital.

Commissioner Lund said it is unfortunate they had to scramble to put together a QRU. Kendall stated if the people do not follow the policies, then he must pull the ambulances. He stated he does not like communities not having EMT's available, but he is a businessman and has to look out for his business.

Commissioner Lund said since Commissioner Chilcott is not present for this meeting they need to visit with him and determined where the Board of County Commissioners need to go on this issue. Kendall stated he has no intention of pulling the Stevensville and Darby ambulances.

Charmell Owens asked the Commissioners to take a slow approach to this issue as it is important not to lose the three ambulances, as they do provide some needed services. She suggested a committee be set up to review these issues. She stated the only ambulance at risk is the one in Victor and felt Kendall has worked well with the County in the past. Charmell noted there is a challenge for the ambulances to run, as it is not a profitable business in rural counties.

Lori Young, Corvallis QRU President, stated she stands behind Kendall Neff. She said the solution is to staff the ambulances, and if the commitment was there from the EMT's, the ambulance would go back to Victor.

Unknown Victor Fireman stated the ambulance can not be run like a military organization, and because he (Kendall) is mean to them, they will not follow him. He stated it was improper for the Victor Fireman to find a note and the ambulance gone.

Commissioner Lund reiterated her concern is that the ambulance was pulled and they were not given any warning. She stated this jeopardizes the citizens.

Jenny Johnson asked what the County's obligation is in providing ambulance service. James stated the County has no legal obligation to provide ambulance service.

Commissioner Thompson agreed it was important to wait until they could visit with Commissioner Chilcott.

In other business, the Commissioners met with members of the Sunnyside Cemetery District. They provided a letter for those trustees named for three-year terms, commencing January 1, 2006. Commissioner Thompson moved to create the Sunnyside Three Mile Cemetery District with the following Trustees:

- Bessie Bolin with a three-year term
- Don Wilson with a three-year term
- Bill Malone with a two-year term
- Carol Ross with a two-year term
- Bill Lyons with a one-year term

with staggered terms beginning January 1, 2006. (See Resolution No. 1763).

Commissioner Lund seconded the motion and all voted "aye".

The Board also met members of the Corvallis Cemetery District. Scott Covert stated he will bring names back to the Commissioners for permanent trustee appointment. Commissioner Thompson made a motion to create the Corvallis Cemetery District with the Trustees who are currently serving, with staggered three-year terms, with names to be

provided by district. The terms will begin January 1, 2006. (See Resolution # 1763).
Commissioner Lund seconded the motion and all voted "aye".

In review of the finances, James will put together a form for the cemetery districts to go through District Court for the establishment of a trust account as required under Montana Law: 7-35-Part 21.